

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS

EUGENE AND DAYMEL SHKLAR
FOUNDATION,

Plaintiff,

V.

IAN SIMMONS,

Defendant.

CIVIL ACTION NO. 04-11529-JLT

LOCAL RULE 16.1(D) CERTIFICATE

PLEASE TAKE NOTICE THAT the undersigned party to this action, and its counsel, hereby certify pursuant to Local Rule 16.1(D)(3) of the Local Rules of the United States District Court for the District of Massachusetts that:

- (a) they have conferred with a view to establishing a budget for the costs of conducting the full course, and various alternative courses, of this litigation; and
- (b) they have conferred to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

Respectfully submitted,

IAN SIMMONS

By his attorneys,

By: Ian Thorne Simmons

William A. Worth (BBO #544086)
David E. Plotkin (BBO #644858)
PRINCE, LOBEL, GLOVSKY & TYE LLP
585 Commercial Street
Boston, MA 02109
(617) 456-8000 (phone)
(617) 456-8100 (fax)

Dated: December 2, 2004